



Engineering Services
City of Frisco, Texas

Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

cc: George Purefoy, City Manager
Cissy Sylo, P.E., Director of Engineering Services
Elizabeth Metting, P.E., Assistant Director/City Engineer
Jason Brodigan, P.E., Senior Civil Engineer

From: Michael Bulla, Special Projects Manager

Date: December 16, 2008

Subject: Consider and act upon authorization for the City Manager to execute Change Order Number 1 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola and Sons Excavating Inc., for the construction of All Stars Avenue/CR 712 (Frisco Street to North County Road) (Bid No 0802-023).

Action Requested: City Council consideration and approval of authorization for the City Manager to execute Change Order Number 1 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola and Sons Excavating, Inc. ("Mario Sinacola") of Frisco, Texas, in the amount of \$39,323.61, for the construction of All Stars Avenue/CR 712 (Frisco Street to North County Road) (Bid No 0802-023).

Background Information: City Council awarded the bid for construction of All Stars Avenue/CR 712 (Frisco Street to North County Road) and approved Resolution 08-05-108R authorizing the City Manager to execute a Standard Form Agreement for Construction Services with Mario Sinacola at their April 15, 2008 meeting. The proposed street project included constructing a 4-lane divided section between Frisco Street and the BNSF Railroad including landscaping and irrigation in the median, and a 37-foot wide undivided section from the BNSF Railroad to North County Road. The total length of the roadway is approximately 3,900 feet and includes paving, drainage, landscaping, signal installation and street lighting. The project also includes a 12-inch waterline.

On April 21, 2008 BWC Properties, Ltd. ("BWC") and the City of Frisco executed a Letter Agreement where by the City of Frisco would construct two (2) left turn lanes

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and two (2) median openings in exchange for the 1.323+/- acres of right-of-way necessary to facilitate the construction of the west end of All Stars Avenue/CR 712. In addition, BWC would grant the appropriate Temporary Construction Easement, Slope Easement, and Grading Easement to make the construction of All Stars Avenue/CR 712 possible. Finally, BWC would grant an additional 15-foot Sanitary Sewer Easement to allow for the construction of the Mid-Town Sanitary Sewer Project across the BWC property.

Change Order Number 1 provides funding for 35-feet of storm sewer, 700-square yards of subgrade work and concrete pavement, and 300-feet of pavement markings necessary to construct the turn lanes and median openings on All Stars Avenue/CR 712. The total amount for the scope of work relating to the BWC property results in an increase to the contract of \$ 47,547.25.

Since negotiations with BWC were ongoing at the time the bid was awarded, the changes to the work had to be designed and issued as a change order to the construction contract. Some construction work had already begun prior to receiving the final plan changes, which resulted in the small mobilization charges for staking, grading, and pipe crews.

Change Order Number 1 also amends the original bid quantities to allow for the planting of new trees on the south side of All-Stars Avenue/CR712. The original bid for the project provided a "Remove, Store, and Replant existing Trees" item. During the course of the construction, and after consulting the Parks Department, it was determined that the very poor condition of the existing trees would severely diminish the survivability rate for transplanting the trees. Change Order Number 1 will add to the existing quantities the same number of trees the contractor originally planned to relocate. This change results in a decrease to the contract of (\$ 8,223.64).

Change Order Number 1 will result in a net increase to the contract of \$ 39,323.61, increasing the total contract cost to \$2,470,655.23, and will add five (5) days to the Contract Time due to the changes authorized after construction began.

Alternatives: The City Council could consider the following alternatives:

- City Council approval to authorize the City Manager to execute Change Order Number 1 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola;
- Input towards the discussion as desired;
- Deny approval to authorize the City Manager to execute Change Order Number 1 and send back to staff with direction.

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Financial Considerations: The funding for All-Stars Avenue/CR712 is from 2005, 2006 and 2007 General Obligation Bonds with the Frisco Economic Development Corporation contributing \$800,000 towards the cost of construction. Staff recommends funding for Change Order Number 1 from the 2007 General Obligation Bonds.

Legal Review: Not Applicable

Supporting Documents: Supporting documents include the following items:

- Copy of Project Location Map;
- Copy of Change Order Number 1

Staff Recommendation: Staff recommends placement of this item on the December 16, 2008 City Council meeting agenda to consider and approve the authorization for the City Manager to execute Change Order Number 1 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola and Sons Excavation, Inc. of Frisco, Texas, in the amount of \$ 39,323.61 for the construction of All Stars Avenue/CR 712 (Frisco Street to North County Road) (Bid No 0802-023). Staff will be available during the meeting to address the City Council's questions relating to this agenda item.